THE HONORABLE JAMES P. DONOHUE

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CHIHULY, INC., a Washington corporation and PORTLAND PRESS, INC., a Washington corporation,

Plaintiffs,

VS.

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ROBERT KAINDL, an individual; BRYAN RUBINO, individually and on behalf of his marital community; ART GLASS PRODUCTION, a Washington company; et al.,

Defendants.

ROBERT KAINDL, an individual; and ART GLASS PRODUCTION, a Washington company,

Counter-Claimants,

VS.

CHIHULY, INC., a Washington corporation; PORTLAND PRESS, INC. a Washington corporation, and DALE CHIHULY, an individual,

Counter-Defendants.

NO. C05-1801JPD

[PROPOSED] ORDER ON PARTIES' STIPULATED MOTION FOR DISMISSAL OF CERTAIN CLAIMS WITH PREJUDICE AND WITHOUT COSTS PURSUANT TO FED. R. CIV. P. 41(a)(1)

ORDER OF DISMISSAL - 1 (Case No. C05-1801JPD)

TODD & WAKEFIELD

ATTOR NETS ATTOR WITHOUT A 1700 CENTURY SQUARE 1501 FOURTH AVENUE SEATTLE, WASHINGTON 98101-3660 (206) 622-3585 FAX (206) 583-8980

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ORDER OF DISMISSAL

Based on the parties' Stipulated Motion for Dismissal of Certain Claims With Prejudice and Without Costs Pursuant to Fed. R. Civ. P. 41(a)(1), IT IS HEREBY ORDERED that all claims in this action brought by plaintiffs Chihuly, Inc. and Portland Press, Inc. against defendant Bryan Rubino only and all counter-claims by Bryan Rubino against Chihuly, Inc. and Portland Press, Inc. are dismissed with prejudice and without costs to any party pursuant to Fed. R. Civ. P. 41(a)(1). Each party shall bear their own attorney fees and costs.

Dated this	day of	,	2006.
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JAMES P. DONOHUE, UNITED STATES DISTRICT COURT JUDGE

Presented by:

TODD & WAKEFIELD

Wakefield (

WSBA #11222

Attorneys for Defendant Bryan Rubino

ORDER OF DISMISSAL - 2 (Case No. C05-1801JPD)

TTORNEYS AT LAW 1700 CENTURY SQUARE 1501 FOURTH AVENUE SEATTLE, WASHINGTON 98101-3660 (206) 622-3585 FAX (206) 583-8980

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